



Eric Gonzalez
District Attorney

**DISTRICT ATTORNEY
KINGS COUNTY**

350 JAY STREET
BROOKLYN, NY 11201-2908
(718) 250-2000
WWW.BROOKLYNDA.ORG

Carmen Weaver
Assistant District Attorney

June 7, 2021



In connection with the above-named case, the People voluntarily provide the following information regarding:

MOS NAME: FRANKY JOSEPH

MOS TAX: 940320

in satisfaction (to the extent applicable) of their constitutional, statutory, and ethical obligations. In addition to any information provided below, disciplinary information regarding this officer may exist online at the following websites: <https://www1.nyc.gov/site/ccrb/policy/MOS-records.page>, <https://nypdonline.org/link/13>, and <https://www.50-a.org>. The People make no representation regarding the accuracy of any information contained on these websites. In addition, the People have provided all lawsuits known to the People through NYPD documents, the NYC Law Department's public website of civil suits filed against officers (<https://www1.nyc.gov/site/law/public-resources/nyc-administrative-code-7-114.page>), and orally relayed to the People by officers. Please note that additional cases may or may not exist on the following public websites: <https://pacer.uscourts.gov/>, <https://iapps.courts.state.ny.us/webcivil/FCASMain>; and <https://iapps.courts.state.ny.us/nyscef/Login>. The People reserve the right to object to the use or introduction of any or all disclosures provided below and any other potential impeachment information.

Disclosure # 1:

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION(S), DATED 06/16/2012, AGAINST MOS JOSEPH:

1. DEPARTMENT RULES VIOLATION – COURT NON-APPEARANCE

CASE STATUS: CLOSED ON 10/19/2012

ACTION TAKEN: SCHEDULE B COMMAND DISCIPLINE ISSUED

Disclosure # 2:

MOS JOSEPH ENTERED A PLEA OF GUILTY TO THE FOLLOWING CHARGES AND SPECIFICATIONS ARISING FROM AN INCIDENT ON OR ABOUT 05/29/2012, WHILE MOS JOSEPH WAS ASSIGNED TO THE 81ST PRECINCT AND ON DUTY:

1. MOS JOSEPH, AT APPROXIMATELY 2130 HOURS, AT A LOCATION KNOWN TO THE DEPARTMENT IN KINGS COUNTY, ABUSED HIS AUTHORITY AS A MEMBER OF THE NEW YORK CITY POLICE DEPARTMENT IN THAT HE STOPPED AN INDIVIDUAL KNOWN TO THE DEPARTMENT WITHOUT SUFFICIENT LEGAL AUTHORITY
2. MOS JOSEPH, AT APPROXIMATELY 2130 HOURS, AT A LOCATION KNOWN TO THE DEPARTMENT IN KINGS COUNTY, ABUSED HIS AUTHORITY AS A MEMBER OF THE NEW YORK CITY POLICE DEPARTMENT IN THAT HE SEARCHED AN INDIVIDUAL KNOWN TO THE DEPARTMENT WITHOUT SUFFICIENT LEGAL AUTHORITY

CASE STATUS: CLOSED ON 11/10/2014

ACTION TAKEN: FORFEITURE OF TWO (2) VACATION DAYS

Disclosure # 3:

THE NYPD ENTERED A DISPOSITION OF ADMINISTRATIVELY CLOSED, ARISING FROM CCRB CASE #201206906, DATED 11/26/2013, AGAINST MOS JOSEPH:

1. MOS JOSEPH, ASSIGNED TO THE 81ST PRECINCT, WHILE ON DUTY ON MAY 29, 2012, AT AROUND 2130 HOURS, IN THE VICINITY OF MALCOLM X BOULEVARD AND MADISON STREET, KINGS COUNTY, FAILED TO PREPARE MEMO BOOK ENTRIES RELATING TO THE STOP OF AN INDIVIDUAL KNOWN TO THE DEPARTMENT
2. MOS JOSEPH, ASSIGNED TO THE 81ST PRECINCT, WHILE ON DUTY ON MAY 29, 2012, AT AROUND 2130 HOURS, IN THE VICINITY OF MALCOM X BOULEVARD AND MADISON STREET, KINGS COUNTY, FAILED TO PREPARE A UF-250, STOP, QUESTION AND FRISK REPORT, REGARDING THE STOP OF AN INDIVIDUAL KNOWN TO THE DEPARTMENT

DISPOSITION: ADMINISTRATIVELY CLOSED

CASE STATUS: CLOSED ON 08/01/2016

Disclosure # 4:

MOS JOSEPH ENTERED A PLEA OF GUILTY TO THE FOLLOWING CHARGES AND SPECIFICATIONS ARISING FROM AN INCIDENT ON OR ABOUT 08/29/2014:

ALLEGATION(S):

1. MOS JOSEPH, AT A LOCATION KNOWN TO THE DEPARTMENT IN NEW YORK COUNTY, DID WRONGFULLY ENGAGE IN CONDUCT PREJUDICIAL TO THE GOOD ORDER, EFFICIENCY AND DISCIPLINE OF THE DEPARTMENT, TO WIT: WHILE BEING INTERVIEWED AT THE CIVILIAN COMPLAINT REVIEW BOARD REGARDING A POLICE INCIDENT WHICH OCCURRED ON OR ABOUT 06/29/2014, DID MAKE INACCURATE AND MISLEADING STATEMENTS

CASE STATUS: CLOSED ON 11/16/2016

ACTION TAKEN: FORFEITURE OF TWENTY-FIVE (25) VACATION DAYS

BASED UPON CCRB DOCUMENTS UP TO DATE THROUGH OCTOBER 13, 2020, THE PEOPLE ARE AWARE OF THE FOLLOWING CCRB SUBSTANTIATED AND/OR PENDING ALLEGATIONS AGAINST THIS OFFICER:

Disclosure # 5:

CCRB CASE: 201113054

REPORT DATE: 10/06/2011

INCIDENT DATE: 10/04/2011

OTHER MISCONDUCT NOTED:

1. OTHER MISCONDUCT NOTED - FAILURE TO PRODUCE STOP AND FRISK REPORT

Disclosure # 6:

CCRB CASE: 201206906

REPORT DATE: 05/29/2012

INCIDENT DATE: 05/29/2012

CCRB SUBSTANTIATED ALLEGATION(S):

1. ABUSE - STOP
2. ABUSE - SEARCH (OF PERSON)

NYPD DISPOSITION: ADMINISTRATIVE PROSECUTION UNIT GUILTY, FORFEIT VACATION 2 DAYS

OTHER MISCONDUCT NOTED:

1. OTHER MISCONDUCT NOTED - FAILURE TO PRODUCE STOP AND FRISK REPORT
2. OTHER MISCONDUCT NOTED - FAILURE TO PREPARE A MEMO BOOK ENTRY

Disclosure # 7:

CCRB CASE: 201406519

REPORT DATE: 06/30/2014

INCIDENT DATE: 06/29/2014

CCRB SUBSTANTIATED ALLEGATION(S):

1. ABUSE - PREMISES ENTERED AND/OR SEARCHED
NYPD DISPOSITION: COMMAND DISCIPLINE - A
OTHER MISCONDUCT NOTED:
 1. OTHER MISCONDUCT NOTED - OTHER MISCONDUCT

Disclosure # 8:

CCRB CASE: 201407434

REPORT DATE: 07/24/2014

INCIDENT DATE: 07/23/2014

CCRB SUBSTANTIATED ALLEGATION(S):

1. FORCE - CHOKEHOLD

NYPD DISPOSITION: ADMINISTRATION PROSECUTION UNIT CLOSED: RETAINED, WITH DISCIPLINE, INSTRUCTIONS

Disclosure # 9: (PENDING)

CCRB CASE: 202007924

REPORT DATE: 11/23/2020

INCIDENT DATE: 10/28/2020

PENDING CCRB ALLEGATION(S):

1. Abuse - Entry of Premise

Eric Gonzalez
District Attorney
Kings County